

### **REMARKS**

Claims 1-21 are currently pending in the subject application. By the instant amendment, claim 5 is amended to more particularly recite the subject matter of the present invention. No new matter is added by the amendment to claim 5.

Applicants appreciate the Examiner's acknowledgment of the applicants' claim for foreign priority and receipt of the formal documents pertaining thereto. Applicants further appreciate the Examiner's allowance of claims 1-4 and 6-21, as well as the indication of allowable subject matter in claim 5.

Claims 1-21 are presented to the Examiner for further prosecution on the merits.

#### **A. Introduction**

In the outstanding Office action mailed March 29, 2004, the Examiner rejected claim 5 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner indicated that claims 1-4 and 6-21 are allowed, and that claim 5 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

#### **B. Asserted Rejection Under 35 U.S.C. § 112**

In the outstanding Office action, claim 5 was rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. By the instant amendment, claim 5 is amended and is now believed to be definite.

More particularly, pending claim 5 recites, in relevant part:

a mixed gas including at least one of C<sub>5</sub>F<sub>8</sub>, O<sub>2</sub>, CH<sub>2</sub>F<sub>2</sub>, Ar, and CO.

*U.S. No. 10/086,375, claim 5, as amended.*

Therefore, claim 5 is believed to be definite, and favorable reconsideration and withdrawal of the rejection thereof are respectfully requested.

In addition, claim 5 depends from claim 2, which the Examiner indicated as being allowed in the outstanding Office action. Therefore, claim 5 is believed to be allowable for at least the reasons claim 2 is allowed.

C. Allowed Claims

Applicants appreciate the Examiner's allowance of claims 1-4 and 6-21.

D. Conclusion


In view of the foregoing amendments and remarks, applicants respectfully submit that claims 1-21 are in condition for allowance, and a notice to such effect is respectfully requested.

Finally, if the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is respectfully requested, and an early and favorable action upon all pending claims is hereby requested.

Respectfully submitted,

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PETITION and  
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.